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June 28, 2021

VIA Email: jay.withrow@doli.virginia.gov & princy.doss@doli.virginia.gov

Jay Withrow, Director
Division of Legal Support, ORA, OPPPI, and OWP
Virginia Department of Labor and Industry
600 East Main Street, Suite 207
Richmond, VA 23219

Re: Comments on Final Permanent Standard (FPS)

Dear Mr. Withrow:

I am writing as Assistant Vice President of Government Affairs and Public Policy for the Medical Society of Virginia (MSV) to respectfully comment on the Final Permanent Standard (FPS) and to request revocation.

MSV is grateful for the many hours of work the Safety and Health Codes Board has devoted to this issue over last year.

Since the beginning of the outbreak, physicians have served on the front lines of the pandemic. MSV members and their staffs have answered the call to provide for testing, diagnosis, and treatment of COVID-19.

Even though cases and community spread are down significantly right now, the health care community remains vigilant. Recognizing this, CDC guidelines and the OSHA ETS, soon to be in effect, mandate continued distancing, capacity, and PPE guidelines for health care settings.

The FPS does not account for the changing dynamic of the virus and the revised CDC recommendations that have issued. In his letter to Safety and Health Codes Board Chairwoman Milagro Rodriguez on June 14th, Governor Northam states similarly that the FPS “unfortunately does not evolve with the improving conditions across the Commonwealth.”

Accordingly, the MSV respectfully requests the FPS be revoked. Thank you for your consideration and should you have any questions or if MSV may be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Clark Barrineau". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

M. Clark Barrineau
Assistant Vice President of Government Affairs and Public Policy
The Medical Society of Virginia

cc: W. Scott Johnson, Esquire
Benjamin H. Traynham, Esquire